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August 9, 2007

BY FAX (212) 805-6382

The Honorable Victor Marrero  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street, Room 660  
New York, NY 10007

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Re: Baraliu v. Vinya Capital, L.P. and Michael deSa  
SDNY No. 07-cv-04626 (VM)

Dear Judge Marrero:

My firm represents defendants in the above-referenced action. During a conference on defendants' motion to dismiss plaintiff's complaint, Your Honor directed plaintiff to serve an amended complaint by August 15, 2007 and to send a draft of the amended complaint to defendants in advance thereof so that the parties could confer by July 30<sup>th</sup> to discuss the draft and changes thereto with the goal of limiting pleading issues that would warrant a motion to dismiss. Although conversations took place between counsel for the parties, plaintiff's counsel was unable to forward the amended complaint until August 1<sup>st</sup>. So that the parties have a sufficient opportunity to review, discuss and possibly revise the proposed amended complaint, and because of vacation schedules, the parties jointly request that plaintiff's time to serve an amended complaint be extended to September 21, 2007. This is the first request for such an extension.

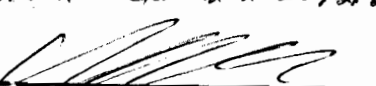
Respectfully yours,



Morlan Ty Rogers

cc: Alfred J. Smith, Jr. Esq.  
(by fax (203) 348-8092)

**SO ORDERED:** Request GRANTED. The time for plaintiff to serve an amended complaint herein is extended to 9-21-07.

8-9-07   
DATE VICTOR MARRERO, U.S.D.J.